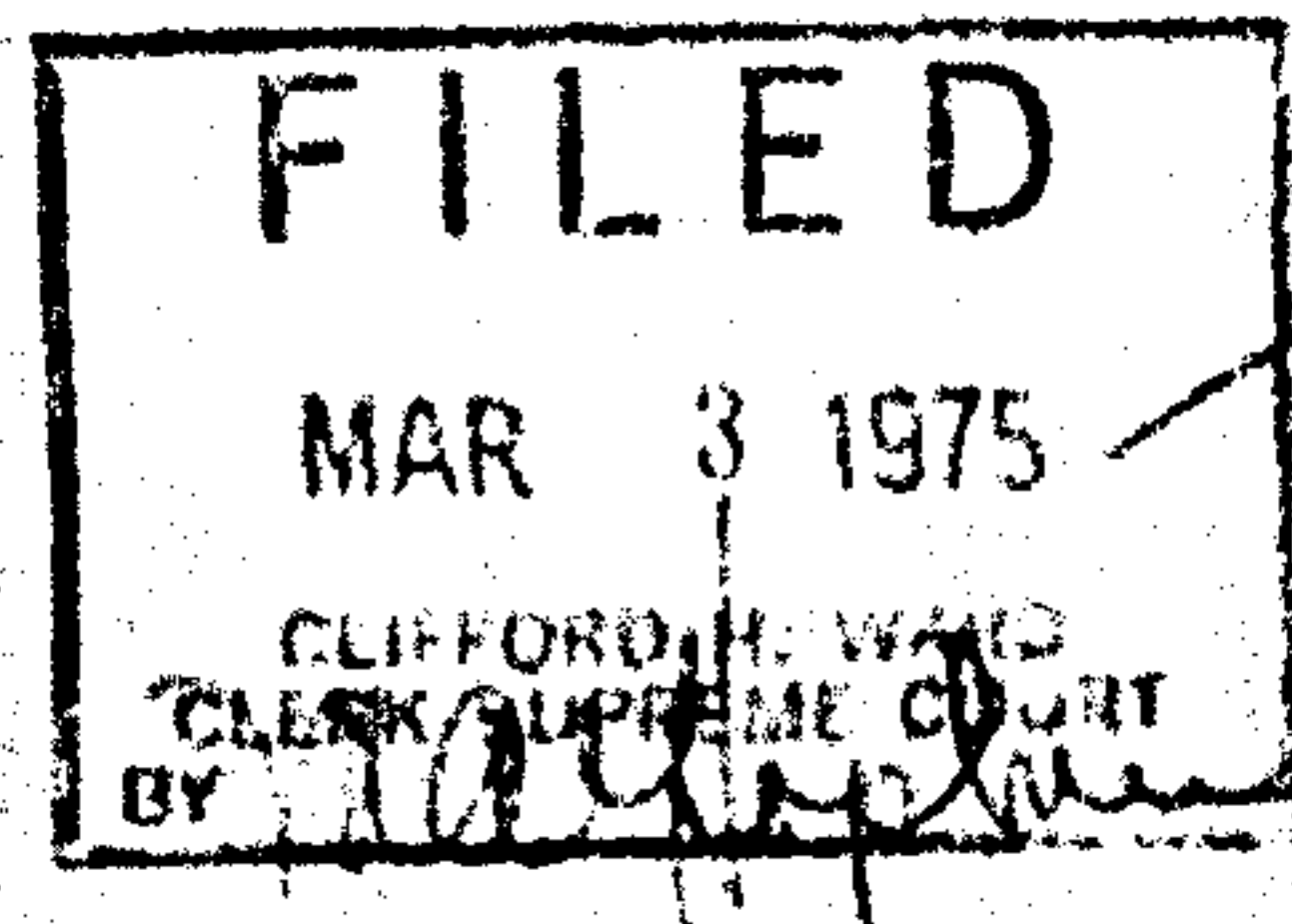


SUPREME COURT
OF THE STATE OF ARIZONA



FARMERS INVESTMENT COMPANY,
a corporation,

Appellant,

v.

THE ANACONDA COMPANY, a
corporation; AMAX COPPER
MINES, INC., THE ANACONDA
COMPANY, as partners in
and constituting ANAMAX
MINING COMPANY, a partner-
ship; ANAMAX MINING COMPANY,
a partnership,

Appellees.

Supreme Court
No. 11439-2

Pima County
No. 116542

PETITION FOR TRANSFER OF
CAUSE FROM THE COURT OF
APPEALS TO THE ARIZONA
SUPREME COURT.

FARMERS INVESTMENT COMPANY, Appellant, and THE ANACONDA COMPANY, AMAX COPPER MINES, INC., THE ANACONDA COMPANY, as partners in and constituting ANAMAX MINING COMPANY, a partnership, and ANAMAX MINING COMPANY, Appellees, petition the Arizona Supreme Court to order the transfer of the above entitled cause presently pending in the Court of Appeals, Division 2, under No. 2CA-CIV-1756 for hearing by the Arizona Supreme Court, pursuant to the provisions of Rule 47(e) of the Arizona Supreme Court Rules. In support of this Petition, it is represented to the Court:

1. The above-captioned matter became at issue in the Court of Appeals, Division 2, with the filing of FARMERS INVESTMENT COMPANY's Reply Brief on February 25, 1975.

2. Heretofore a stipulation was entered into between the above entitled parties and attorneys for Pima Mining Company, as an Appellee in Cause No. 11439-2 in this Court.

3. A copy of said Stipulation and of the Court Order approving the same is annexed to this Petition for ready reference and for the convenience of the Court. The representations therein made are incorporated herein by reference.

Petitioners represent to the Court that it is appropriate that the matters at issue in the cause presently pending in the Court of Appeals be consolidated with the cause heretofore set for oral argument in this Court, as reflected in said Stipulation, in that the issues are similar and may be considered by the Court at the same time thereby conserving judicial time.

Petitioners therefore respectfully move the Court for an Order transferring said Cause No. 2CA-CIV-1756 from the Court of Appeals to this Court and consolidating the cause so transferred for hearing and consideration by the Arizona Supreme Court with pending Cause No. 11439-2 referred to in the attached Stipulation.

The parties hereto respectfully request in the event the Court allows this Motion that oral argument be ordered upon these consolidated causes, when set for hearing.

DATED this 3rd day of March, 1975.

SNELL & WILMER

By


Mark Wilmer

Attorneys for FARMERS INVESTMENT
COMPANY, Appellant

CHANDLER, TULLAR, UDALL & RICHMOND

By


Thomas Chandler

Attorneys for ANACONDA COMPANY,
Appellee

COPY of the foregoing
mailed this 27th day of
February, 1975 to:

Thomas Chandler, Esq.
Chandler, Tullar, Udall
& Richmond
177 North Church
Tucson, Arizona 85701

COPY of the foregoing
mailed this 28th day of
February, 1975 to:

Bruce A. Bevan, Esq.
Musick, Peeler & Garrett
Suite 2000, One Wilshire Blvd.
Los Angeles, California 90017

Verity & Smith
902 Transamerica Bldg.
Tucson, Arizona 85701

COPY of the foregoing
mailed this 3rd day of
March, 1975 to:

Calvin H. Udall, Esq.
Fennemore, Craig, von Ammon & Udall
100 West Washington, Suite 1700
Phoenix, Arizona 85003

Peter C. Gulatto, Esq.
Assistant Attorney General
159 Capitol Building
Phoenix, Arizona 85007


Mark Wilmer

STATE OF ARIZONA)
)
COUNTY OF MARICOPA)

ss:

I Antonio Bucci hereby certify:
Name

That I am Reference Librarian, Law & Research Library Division of the Arizona State
Title/Division

Library, Archives and Public Records of the State of Arizona;

That there is on file in said Agency the following:

**Arizona Supreme Court, Civil Cases on microfilm, Film #36.1.764, Case #11439-2, Supreme Court
Instruments, Part One, Petition for Transfer of Cause from the Court of Appeals to the Arizona
Supreme Court, pages 155-157 (3 pages)**

The reproduction(s) to which this affidavit is attached is/are a true and correct copy of the document(s)
on file.

Antonio Bucci
Signature

Subscribed and sworn to before me this 12/12/2005
Date

Etta Louise Muir
Signature, Notary Public

My commission expires 04/13/2009
Date

